

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

In re:	*	Case No. 2:23-bk-53043
	*	
WELCOME GROUP 2, LLC, <i>et al.</i> , ¹	*	Chapter 11
	*	Judge Mina Nami Khorrami
Debtors.	*	
	*	Jointly Administered

**NOTICE OF DEBTORS/DEBTORS-IN-POSSESSION'S MOTION FOR ORDER
EXTENDING DEBTORS' EXCLUSIVITY PERIODS TO FILE AND SOLICIT
ACCEPTANCES OF A PLAN OF REORGANIZATION**

The above-captioned Debtors and Debtors-In-Possession (collectively the "Debtors") have filed a Motion for Order Extending Debtors' Exclusivity Period to File and Solicit Acceptances of a Plan of Reorganization, a copy of which is attached hereto.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the Motion, then on or before **twenty-one (21) days from the date set forth in the Certificate of Service for the Application**, you must file with the Court a response explaining your position by mailing your response by regular U.S. Mail to:

U.S. Bankruptcy Court, 170 North High Street, Columbus, Ohio 43215

OR your attorney must file a response using the Court's ECF system.

If you mail your request and response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

You must also send a copy of your response either by 1) the Court's ECF system or 2) regular U.S. Mail to:

**Thomsen Law Group, LLC, Counsel for Debtors, 140 North Main Street, Suite A,
Springboro, OH 45066**

Office of the U.S. Trustee, 170 North High Street, Columbus, OH Suite 200, 43215

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Application and may enter an order granting that relief without further hearing or notice.

¹ The Debtors and the last four digits of their federal tax identification numbers are as follows: Welcome Group 2, LLC (6795), Hilliard Hotels, LLC (6063), and Dayton Hotels, LLC (1123). The Debtors' headquarters are located at 5955 E. Dublin Granville Road, New Albany, Ohio 45305.

PLEASE TAKE NOTICE THAT THE DEBTOR HAS FILED A MOTION FOR AN EXPEDITED HEARING TO CONSIDER THE FOREGOING. THE DEBTOR SHALL SERVE NOTICE OF THE EXPEDITED HEARING DATE PURSUANT TO FURTHER ORDER(S) OF THIS COURT.

Date of Service: February 7, 2023

/s/ Darlene E. Fierle

Darlene E. Fierle (0081217)

Denis E. Blasius (0082617)

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Counsel for Debtors and Debtors-In-Possession

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

In re: WELCOME GROUP 2, LLC, <i>et al.</i>,² Debtors.	* * * * *	Case No. 2:23-bk-53043 Chapter 11 Judge Mina Nami Khorrami Jointly Administered
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**DEBTORS' AND DEBTORS-IN-POSSESSION'S SECOND MOTION FOR ORDER
EXTENDING DEBTORS EXCLUSIVITY PERIODS TO FILE AND SOLICIT ACCEPTANCES
OF A PLAN OF REORGANIZATION**

COME NOW the above-captioned Debtors and Debtors-In-Possession (collectively the "Debtors"), by and through counsel, and pursuant to 11 *U.S.C.* §1121(d), respectfully requests that this Court extend the exclusivity deadline for filing a plan of reorganization in 11 *U.S.C.* §1121(c)(2) up to and including May 31, 2024 and correspondingly extend the deadline under 11 *U.S.C.* Section 1121(c)(3) to July 31, 2024 to file a plan that has been accepted by each impaired class of claims or interests. A Memorandum in support of this Motion is set forth below.

Date: February 7, 2023

Respectfully submitted,

/s/ Darlene E. Fierle

Darlene E. Fierle (0081217)

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Counsel for Debtors and Debtors-In-Possession

² The Debtors and the last four digits of their federal tax identification numbers are as follows: Welcome Group 2, LLC (6795), Hilliard Hotels, LLC (6063), and Dayton Hotels, LLC (1123). The Debtors' headquarters are located at 5955 E. Dublin Granville Road, New Albany, Ohio 45305.

MEMORANDUM IN SUPPORT

1. On September 1, 2023 (the “Petition Date”), the Debtors filed their voluntary petitions for relief under Chapter 11 of the Bankruptcy Code with the United States Bankruptcy Court for the Southern District of Ohio, Eastern Division. The cases are being jointly administered.

2. The Debtors continue to manage their businesses as a Debtors-in-Possession pursuant to 11 *U.S.C.* §§1107 and 1108 of the Bankruptcy Code. No trustee or examiner has been appointed in the Debtors’ case.

3. This Court has jurisdiction over this matter pursuant to 28 *U.S.C.* §§157 and 1334. This is a core proceeding pursuant to 28 *U.S.C.* §157(b). The venue of this chapter 11 case and this Motion is proper pursuant to 28 *U.S.C.* §§1408 and 1409.

4. Under 11 *U.S.C.* §1121(b)(2), only the Debtors can file a plan up to and including 120 days after the Petition Date (the “Exclusivity Period”). The Exclusivity Period deadline for Debtors to file a plan of reorganization in the instant proceeding under 11 *U.S.C.* §1121(b) was to expire on December 30, 2023 and was extended to February 29, 2024 by Order of this Court (*Doc.* 143).

5. Under 11 *U.S.C.* Section 1121(b)(3), the Debtors have 180 days from the filing of the order for relief to obtain acceptance of a plan by each class of impaired claims or interests (the “Plan Acceptance Period”). The Plan Acceptance Period will expire on February 28, 2024.

6. Given the twenty-one (21) day notice period required under the Bankruptcy Rules, this Motion is being filed so that the Order extending the Exclusivity Period and Plan Acceptance Period can be entered on or before February 28, 2024. Debtors will be filing a separate motion for an expedited

hearing and shortened notice period. Notwithstanding the foregoing, a Proposed Order granting this Motion is appended hereto.

7. Courts have consistently held that, in order to obtain extension under 11 U.S.C. §1121(d), “an affirmative showing of cause, supported by evidence, be made by the party seeking the extension or reduction of time.” *In re Ravenna Industries, Inc.*, 20 B.R. 886 (Bankr. ND OH 1982)³. As is explained in detail herein, more than sufficient cause exists to grant the requested extensions.

8. As the Court may recall, at the hearings on the motion to excuse turnover and first day motions, the Hampton Inn – Sidney, a Hilton property, owned by Debtor Hilliard Hotels, LLC (the “Hampton Inn”), was under review for retention of the Hilton “flag” or brand. *Doc. 35, Exhibit 6*. There was to be an upcoming “Cure Date” of December 14, 2023 at the Hampton Inn, based upon “the most recent Quality Assurance Evaluation on May 3, 2023”.

9. Both prior to and subsequent to the Cure Date, InnVite Hospitality, the property manager, through its principal Andy Vasani, has continued to upgrade the hotel and has been in constant communication with Hilton representatives in regard to the issues raised in the Special Product Evaluation and overall Property Improvement Plan (“PIP”), and has worked diligently towards approval of same. The Hampton Inn, as of the filing of this Motion, has continued to operate as a Hilton branded hotel. Mr. Vasani intends to continue working with Hilton towards approval of the PIP. The Debtors need sufficient

³ The Ravenna Court also held that an extension granted under 11 U.S.C. §1121 (c)(2) (Exclusivity Period) operates an automatic extension under 11 U.S.C. §1121(c)(3) (Plan Acceptance Period). Nonetheless, Debtors have moved to extend both periods herein. It should be noted that the Debtor in the Ravenna case had requested its ninth extension, being granted eight previous extensions.

time to determine the impact of same on their overall operational income and present a projected budget in line with the status of the hotel and accordingly a plan.

10. Further, Mr. Vasani is currently negotiating to flag The Hotel at Dayton South (Dayton Hotels, LLC) with a national hotel chain, which will result in a significant increase in income for the hotel. Dayton Hotels, LLC and Mr. Vasani need sufficient time to finalize and close these negotiations which again will impact any plan to be proposed by the Debtors.

11. The combination of the above factors establishes sufficient cause to grant the extensions requested herein.

12. This is the second request to extend the exclusivity deadline and the first request to extend the deadline to obtain acceptance of a plan.

13. No prejudice will be suffered by parties-in-interest as a result of an extension of the Exclusivity Period and Plan Acceptance Period requested herein. The proposed extensions are being requested in good faith and are in the best interests of the creditors and the estate.

THE DEBTOR IS SEPARATELY FILING A MOTION REQUESTING AN EXPEDITED HEARING ON THE RELIEF REQUESTED IN THIS FILING AND TO REDUCE THE DEADLINE FOR OBJECTIONS HERETO. THE TIME IN WHICH TO RESPOND TO THIS MOTION OR APPLICATION WILL BE SET FORTH IN A SEPARATE ORDER OF THIS COURT (ON THE MOTION FOR EXPEDITED HEARING OR DISPOSITION) AND SHALL BE SERVED AS REQUIRED BY THE COURT.

WHEREFORE, Debtors Welcome Group 2, LLC, Dayton Hotels, LLC, and Hilliard Hotels, LLC respectfully requests that the Court extend the Exclusivity Period up to and including May 31, 2024 and the Plan Acceptance Period up to and including July 31, 2024.

Date: February 7, 2024

Respectfully submitted,

/s/ Darlene E. Fierle

Darlene E. Fierle (0081217)

Denis E. Blasius (0082617)

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Thomsen Law Group, LLC

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Counsel for Debtors and Debtors-In-Possession

PROPOSED ORDER

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

In re:	*	Case No. 2:23-bk-53043
	*	
WELCOME GROUP 2, LLC, <i>et al.</i>,⁴	*	Chapter 11
	*	Judge Mina Nami Khorrami
Debtors.	*	
	*	Jointly Administered

**ORDER EXTENDING DEBTORS' AND DEBTORS-IN-POSSESSION'S EXCLUSIVE PERIODS
TO FILE AND SOLICIT ACCEPTANCES OF A PLAN OF REORGANIZATION**

This matter came on before the Court on the Debtors' and Debtors-In-Possession's Motion for an Order Extending Exclusivity Period to file a Plan of Reorganization (*Doc. ____*) and an Order extending the period for acceptance of a plan (the "Motion"), and the Court has reviewed the Motion and finding good cause to grant the relief requested thereto approves same. It is therefore

⁴ The Debtors and the last four digits of their federal tax identification numbers are as follows: Welcome Group 2, LLC (6795), Hilliard Hotels, LLC (6063), and Dayton Hotels, LLC (1123). The Debtors' headquarters are located at 5955 E. Dublin Granville Road, New Albany, Ohio 45305.

ORDERED that the Exclusivity Period⁵ deadline for the Debtors to file plan of reorganization is hereby extended up to and including May 31, 2024 and the Plan Acceptance Period in extended to July 31, 2024.

IT IS SO ORDERED.

Copies to:

Default List Plus Top 20

⁵ Unless otherwise defined herein, all capitalized terms shall have the meaning ascribed to them in the Motion.